

ASSEMBLY BILL

No. 482

Introduced by Assembly Member Cogdill

February 14, 2003

An act to amend Sections 5080.05 and 5080.17 of, and to add Section 5080.22 to, the Public Resources Code, relating to state parks.

LEGISLATIVE COUNSEL'S DIGEST

AB 482, as introduced, Cogdill. State parks: concessions.

Existing law generally requires contracts for concessions in state parks for a period of more than 2 years to be awarded pursuant to a specified bidding process.

This bill would exempt from this bidding process a concession that has been on state park lands since before the state park was established and that has been owned and run by the same family for 50 or more years. The bill would require the Director of Parks and Recreation to negotiate or renegotiate a contract, including terms and conditions, with the concession.

This bill would make other technical, conforming changes.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 5080.05 of the Public Resources Code
2 is amended to read:
3 5080.05. Except as provided in ~~Section~~ Sections 5080.16 and
4 5080.22, all contracts authorizing occupancy of any portion of the
5 state park system for a period of more than two years shall be

1 awarded to the best responsible bidder. “Best responsible bidder”
2 means the bidder, as determined by specific standards established
3 by the department, which, as determined by the department, will
4 operate the concession (1) consistent with the contract, (2) in a
5 manner fully compatible with, and ~~complimentary~~ *complementary*
6 to, the characteristics, features, and theme of the unit in which the
7 concession will be operated, and (3) in the best interests of the state
8 and public.

9 SEC. 2. Section 5080.17 of the Public Resources Code is
10 amended to read:

11 5080.17. (a) Every contract awarded pursuant to the bidding
12 requirements of this article, pursuant to the request for proposal
13 process specified in Section 5080.23, or negotiated or renegotiated
14 pursuant to Section 5080.16 *or* 5080.22, shall be submitted to the
15 Attorney General for approval for legal sufficiency and to the
16 Director of General Services for approval pursuant to Section
17 11005.2 of the Government Code, the requirements of which are
18 the only requirements applicable to the approval of contracts
19 entered into pursuant to this article. The concession contract is not
20 binding on the state until approved by the Attorney General and the
21 Director of General Services.

22 (b) Notwithstanding Section 11005.2 of the Government Code
23 and subdivision (a) of this section, the approval of a concession
24 contract by the Director of General Services shall not be required
25 unless the concession contract authorizes occupancy of a unit of
26 the state park system for a period of more than one year.

27 SEC. 3. Section 5080.22 is added to the Public Resources
28 Code, to read:

29 5080.22. (a) The Legislature finds and declares that
30 concessions that have been on lands that are currently part of the
31 state park system, but were not part of the state park system at the
32 time the concessions established themselves on those lands and
33 that have exhibited continuity of ownership contribute to the
34 continuity of culture within those lands and parks.

35 (b) (1) A concession that has been on state park lands since
36 before the state park was established and that has been owned and
37 run by the same family for 50 or more years is exempt from the
38 bidding process prescribed by this article.



1 (2) The director shall negotiate or renegotiate a contract,
2 including terms and conditions, with a concession that satisfies the
3 criteria of paragraph (1).

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